

## **REMARKS / ARGUMENTS**

In complete response to the Office Action dated August 16, 2005, on the above identified application, reconsideration is respectfully requested. Claims 9-28 and 35 are pending in this application. Claim 13 has been withdrawn from consideration.

With this amendment, claim 9 has been cancelled. Claims 10-12, 14, 17, 22, 27, 28, and 35 have been amended to more clearly define the invention.

### **Claim Objections:**

Claims 11 and 34 currently stand objected to. With this amendment, the incorrect spelling of claim 11 and the incorrect numbering of claim 34 have been corrected. For this reason, the Applicant respectfully contends that the basis for this objection deserves reconsideration.

### **Claim Rejections Under 35 U.S.C. § 101:**

Claims 9-21 currently stand rejected under 35 U.S.C. 101 because of the claimed recitation of a use without any steps involved in the process. Due to the aforementioned claim cancellation and amendments, the Applicant respectfully contends that these rejections are now moot.

### **Claim Rejections Under 35 U.S.C. § 112:**

Claims 9-21 and 35 currently stand rejected under 35 U.S.C. 112, second paragraph for being unclear. Due to the aforementioned claim cancellation and amendments, the Applicant respectfully contends that these rejections are now moot.

### **Claim Rejections Under 35 U.S.C. § 102:**

Claims 9-12, 14-23, 28, and 35 currently stand rejected under 35 U.S.C. 102 (b) as being anticipated by U.S. Patent Application Publication No. 2001/0002257 to Corrine Stolz. Due to the aforementioned claim cancellations and amendments, the Applicant respectfully contends that these rejections are now moot.

**Claim Rejections Under 35 U.S.C. § 103:**

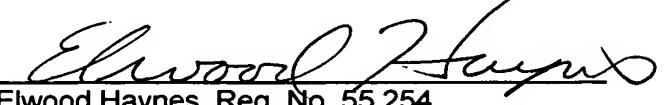
Claims 24-27 currently stand rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent Application No. 2001/0002257 to Corrine Stolz. The Applicant respectfully contends that these claims, as amended, are not anticipated by Stolz '257.

Stolz '257 does not teach, disclose, or suggest a method of slimming a human body by administering a composition **consisting essentially of** a cosmetically acceptable medium and an effective quantity of a compound represented by formula (I). Stolz '257 fails to disclose any slimming effects of the compound of formula (I) **when taken alone**. For this reason, the Applicant respectfully contends that this basis for rejection deserves reconsideration.

## CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the Examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,

  
Elwood Haynes, Reg. No. 55,254

Date: November 16, 2005

Air Liquide  
2700 Post Oak Blvd., Suite 1800  
Houston, Texas 77056  
Phone: (713) 624-89564  
Fax: (713) 624-8950

### CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16<sup>th</sup> day of November, 2005.

  
Diana Guzman